

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT CHATTANOOGA**

JASON VANHOOSE, <i>et al.</i> ,)	
)	Case No. 1:17-cv-248
<i>Plaintiffs</i> ,)	
)	Judge Travis R. McDonough
v.)	
)	Magistrate Judge Susan K. Lee
WAUPACA FOUNDRY, INC.,)	
)	
<i>Defendant.</i>)	
)	
MICHAEL SARRELL, <i>et al.</i> ,)	Case No. 1:17-cv-56
)	
<i>Plaintiffs</i> ,)	Judge Travis R. McDonough
)	
v.)	Magistrate Judge Susan K. Lee
)	
WAUPACA FOUNDRY, INC.,)	
)	
<i>Defendants.</i>)	

ORDER

Before the Court is the parties’ joint motion seeking court approval of the settlement of certain Fair Labor Standards Act, 29 U.S.C. §§ 201-19 (“FLSA”), claims reached solely as to Opt-in Plaintiff Abel Townsend (“Townsend”) and Defendant Waupaca Foundry, Inc. (“Waupaca”) in case number 1:17-cv-56 (“the *Sarrell* action”)¹ (Doc. 152). On July 11, 2018,

¹ The *Sarrell* action is a consolidated-member case, with lead case number 1:17-cv-248 (“the *VanHoose* action”). The signed Settlement Agreement and Release executed by Townsend on March 15, 2018 (Doc. 152-1) was filed, along with the joint motion, in both cases.

United States Magistrate Judge Susan K. Lee filed her report and recommendation pursuant to 28 U.S.C. § 636(b)(1). (Doc. 156.) Magistrate Judge Lee recommended that the parties' motion be granted. (*Id.*) Neither party has filed timely objections to Magistrate Judge Lee's report and recommendation.² Additionally, as noted by Magistrate Judge Lee, "[t]he parties agree that Townsend's recovery is fair and complete under the FLSA and that the settlement is made without any admission of fault or liability." (*Id.* at 4.) The Court has conducted a review of the report and recommendation, as well as the record, and it agrees with Magistrate Judge Lee's well-reasoned conclusions. Accordingly, the Court will **ACCEPT** and **ADOPT** Magistrate Judge Lee's report and recommendation (Doc. 156), **GRANT** the parties' motion (Doc. 152) and **APPROVE** the settlement agreement (Doc. 152-1).

SO ORDERED.

/s/ Travis R. McDonough

TRAVIS R. MCDONOUGH
UNITED STATES DISTRICT JUDGE

² Magistrate Judge Lee specifically advised the parties that they had fourteen days in which to object to the report and recommendation and that failure to do so would waive their right to appeal. (Doc. 156, at 5 n.6); *see* Fed. R. Civ. P. 72(b)(2); *see also* *Thomas v. Arn*, 474 U.S. 140, 148–51 (1985) (noting that “[i]t does not appear that Congress intended to require district court review of a magistrate’s factual or legal conclusions, under a *de novo* or any other standard, when neither party objects to the findings”). Even taking into account the three additional days for service provided by Federal Rule of Civil Procedure 6(d), the period in which the parties could timely file any objections has now expired.